



ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA-HQ-OPP-2011-0780; FRL-9389-9]

Triforine, Pesticide Tolerances; Technical Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correcting amendments.

SUMMARY: EPA issued a final rule in the **Federal Register** of May 29, 2013, concerning tolerances for triforine on blueberry and tomato. This document corrects a typographical error to the section number.

DATES: This final rule correction is effective [*insert date of publication in the Federal Register.*]

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2011-0780, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave., NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Heather Garvie, Registration Division, (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200

Pennsylvania Ave., NW., Washington DC 20460-0001; telephone number: (703) 308-0034; email address: *garvie.heather@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. Does this Action Apply to Me?

The Agency included in the final rule a list of those who may be potentially affected by this action.

II. What Does this Technical Correction Do?

EPA is correcting the CFR section number assigned to the pesticide tolerance for triforine, which was published in the **Federal Register** of May 29, 2013 (78 FR 32146). Specifically, EPA is changing the section number from §180.1321 to §180.673 so that the pesticide tolerance can be correctly placed in 40 CFR part 180, subpart C.

III. Why is this Correction Issued as a Final Rule?

Section 553 of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)(3)(B)) provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary, or contrary to the public interest, the agency may issue a final rule without providing notice and an opportunity for public comment. EPA has determined that there is good cause for making this technical correction final without prior proposal and opportunity for comment, because this is merely a change in section number and is not a substantive change. EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(3)(B).

IV. Do Any of the Statutory and Executive Order Reviews Apply to this Action?

A discussion of statutory and Executive Order Review was included in the original document published on May 29, 2013.

V. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: June 7 2013.

Daniel J Rosenblatt,

Acting Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR part 180 is corrected as follows:

PART 180--[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

2. Section 180.1321 is redesignated as § 180.673, and transferred from subpart D to subpart C.

[FR Doc. 2013-14495 Filed 06/18/2013 at 8:45 am; Publication Date: 06/19/2013]